

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

FRANKLIN C. SMITH,

Plaintiff,

v.

No.: 3:13-cv-62

PATRICK TODD PHILLIPS,  
RON LINCOLN, and  
ROBERT A DOWNS,

Defendants.

**JUDGMENT ORDER**

For the reasons stated in the court's Memorandum and Order, the court **ORDERS** that this action is **DISMISSED** as frivolous and for failure to state a claim for relief. The court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous.

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge

ENTERED AS A JUDGMENT  
s/ Debra C. Poplin  
CLERK OF COURT